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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,116	11/25/2003	Mihai Albulet	003797.00694	4518
67321 7590 09/18/2007 BIRCH, STEWART, KOLASCH & BIRCH, LLP 8110 GATEHOUSE ROAD SUITE 100 EAST FALLS CHURCH, VA 22040-0747			EXAMINER CRIBBS, MALCOLM D	
			ART UNIT 2115	PAPER NUMBER
			MAIL DATE 09/18/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/720,116

Applicant(s)

ALBULET, MIHAI

Examiner

Malcolm D. Cribbs

Art Unit

2115

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4-11, and 13-23 is/are rejected.
- 7) ☒ Claim(s) 3, 12 and 24-26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Claims 1-26 are presented for examination.

5

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-26 are rejected under 35 U.S.C. 102(b) as being anticipated by
Tzannes [Patent No. US 6,567,473].

15

As per claim 1, Tzannes teaches the invention comprising:

a batter power source [wherein it would have been obvious to one of ordinary skill in the art to include a power source [battery] for a mobile transmitter-receiver environment];

20

a radio transceiver powered by the battery and having components for transmission and receipt of data [Col 6 lines 9-12];

a memory having instructions stored thereon [Col 6 lines 12-20; and Col 15 lines 7-16; the first and second stored bit allocation tables must be stored in memory]; and

25

a controller coupled to the transceiver and to the memory and configured to execute the instructions so as to create, via the transceiver, wireless connections with

remote devices in any of a plurality of connection configurations [Col 15 lines 6-7 and lines 18-20; wherein the transmitter-receiver connect for communication using FSRA protocol],

detect the presence, in a wireless transmission from a remote device, of one or
5 more parameters identifying one of the plurality of configurations, and implement, based on the configuration identified, one of the plurality of power management algorithms [Col 15 lines 5-48; wherein the power modes able to be initiated are Low Data Rate LPM or Zero Data Rate LPM executed based on the stored BAT tables; wherein the detected presence of one or more parameters [inverted sync signal sent using the FSRA protocol
10 which enables either the first or second low power mode based on the stored BAT]].

As per claims 2, and 11, Tzannes discloses a device wherein the controller is configured to detect the presence of one or more parameters by determining if a wireless connection with the remote device has at least one parameter corresponding to
15 an acceptably fast re-connection procedure [Col 12 line 63 – Col 13 line 6].

As per claim 5, Tzannes discloses a device wherein the controller is further configured detect the presence of one or more parameters at the time of establishing a wireless connection with a remote device [Col 15 lines 48-55].

20

As per claims 6, and 14, Tzannes discloses a device wherein the plurality of power management algorithms comprises three or more power management algorithms

[wherein it would have been obvious to one of ordinary skill in the art to include more than two optional modes for the purpose of further adaptability and power conservation].

As per Claim 7, Tzannes discloses a device wherein the device is a computer
5 input device [Col 1 lines 18-35; wherein it would have been obvious to one of ordinary skill in the art at the time the invention was made that a multi-carrier communication system can include a computer input device].

As per Claim 8, Tzannes discloses a device wherein the device is a computer
10 mouse [Col 1 lines 18-35; wherein it would have been obvious to one of ordinary skill in the art at the time the invention was made that a multi-carrier communication system can include a computer input device which includes a computer mouse].

As per Claim 9, Tzannes discloses a device wherein the device is a computer
15 keyboard [Col 1 lines 18-35; wherein it would have been obvious to one of ordinary skill in the art at the time the invention was made that a multi-carrier communication system can include a computer input device which includes a computer keyboard].

As per Claim 10, Tzannes discloses a method for automatically selecting a
20 power management algorithm in a battery-powered wireless device capable of creating wireless connections with a remote device in any of a plurality of connection configurations, comprising:

establishing a wireless connection with a remote device [Col 15 lines 6-7 and lines 18-20; wherein the transmitter-receiver connect for communication using FSRA protocol].

5 determining wireless communication features supported [first or second power mode indicated by stored BAT] by the remote device; and implementing a first power management algorithm if the remote device supports a first communication feature; and implementing a second power management algorithm if the remote device does not support the first feature [Col 15 lines 5-48; wherein the power modes able to be initiated are Low Data Rate LPM or Zero Data Rate LPM executed based on the stored BAT
10 tables; wherein the detected presence of one or more parameters [inverted sync signal sent using the FSRA protocol which enables either the first or second low power mode based on the stored BAT]].

As per claim 15, Tzannes discloses a method wherein said determining wireless
15 communication features comprises determining wireless communication features at the time of establishing a wireless connection with a remote device [Col 11 lines 2-6].

As per Claim 16, it is directed to a machine-readable medium to implement the method of steps as set forth in claims 10-15. Therefore, it is rejected on the same basis
20 as set forth hereinabove.

As per claims 22-23, it is directed to a computer input device to implement the method of steps as set forth in claims 10-15. Therefore, it is rejected on the same basis as set forth hereinabove.

5 **Claims 3, 12, and 24-26** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

10 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Malcolm D. Cribbs whose telephone number is 571-272-5689. The examiner can normally be reached on M-F 8AM-430PM.

 If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Lee can be reached on 571-272-3667. The fax phone number for
15 the organization where this application or proceeding is assigned is 571-273-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

- 5 For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Malcolm D Cribbs
Examiner
Art Unit 2115

September 17, 2007



SEP 17 2007
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